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FISCAL IMPACT REPORT

ORIGINAL DATE 02/02/09

SPONSOR Lovejoy LAST UPDATED _____ HB _____

SHORT TITLE Law Enforcement for Tribal Entities SB 225

ANALYST Hoffmann

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY09	FY10		
	\$250.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Finance and Administration (DFA)

Indian Affairs Department (IAD)

Department of Public Safety (DPS)

SUMMARY

Synopsis of Bill

Senate Bill 225 would appropriate \$250.0 to the New Mexico Department of Finance and Administration, Local Government Division (“DFA”), for expenditure in FY10 to provide law enforcement assistance to tribal entities in Cibola, McKinley and San Juan counties.

FISCAL IMPLICATIONS

SB 225 would appropriate \$250,000 to the DFA Local Government Division for expenditure in FY10.

The appropriation of \$250.0 contained in this bill is a RECURRING expense to the GENERAL FUND. Any unexpended or unencumbered balance remaining at the end of FY10 shall revert to the general fund.

SIGNIFICANT ISSUES

According to the Indian Affairs Department, Senate Bill 225 would provide funding to support tribal law enforcement agencies in Cibola, McKinley, and San Juan counties. Tribal entities

located wholly or in part within these counties include the Navajo Nation, the Ramah Navajo Reservation, the To'hajiilee Navajo Reservation, and the Pueblos of Acoma, Laguna, and Zuni.

The Indian Affairs Department states that according to the National Congress of American Indians (NCAI), tribal law enforcement agencies have seen an expanding workload driven by rising crime, increased police involvement in social concerns relating to crime, and demands for police service without significant increases in resources. National statistics indicate that Native Americans are 2.5 times more likely to be a victim of violent crime than non-Native Americans, and the overall violent crime rate in 2002 was 49.8 percent higher than the national average for violent crime in non-Indian communities. The Indian Affairs Department claims that tribal law enforcement agencies do not have adequate manpower and resources to address these issues. The NCAI notes that on tribal lands, 1.3 officers must serve 1,000 citizens compared to 2.9 officers per 1,000 citizens in non-Indian communities with populations fewer than 10,000; the Navajo Nation reports 1.9 officers per 1000. Additionally, tribal law enforcement is often provided over large and undeveloped areas, which can lengthen response times and compromise the safety of a responding law enforcement officer.

The Department of Public Safety reports that this bill does not have any impact on their operations.

OTHER SUBSTANTIVE ISSUES

The Indian Affairs Department notes that drug and alcohol related crime is a significant issue in Indian country. National statistics suggest that approximately 85-90% of crime on the reservation is related to or derived from illegal substance or alcohol abuse. In testimony to the US House of Representatives, Navajo Nation Vice President Ben Shelly stressed that methamphetamine use, in particular, has reached “epidemic levels in rural communities including Indian Country. Nationally, Native American communities have the highest rates of methamphetamine abuse compared to other ethnic communities, and a supermajority of tribal police forces rank methamphetamine as the greatest drug threat to tribal communities. The Navajo Nation testified that methamphetamine use has created a significant burden on the already under-funded Indian health care system and law enforcement and tribes do not have sufficient resources to combat the problem

CH/mt